

FILED

April 8 2009

Ed Smith

CLERK OF THE SUPREME COURT
STATE OF MONTANA

ORIGIN

FILED

DA 08-0499

APR 08 2009

04/05/09

TO: whom,

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

In response to MR. KOAN MERCER Motion to withdraw in representing me on my appeal.

from the first time I talk to Mr. Mercer about the issues I felt should be brought up on an appeal for me, and Mr. Mercer was really negative toward anything I brought up to him. I asked him if he had chance to look at the material I sent him that I researched, and if he looked at the court records yet, and he told me he never had all the court files yet, and he hasn't had time to look over everything I send him and I asked him how could he make the claims to me he was making regarding an appeal for me if he ~~does~~ doesn't know everything from the court records.

I asked Mr. Mercer if he didn't want to represent me on appeal, then I don't want him helping me.

So I'm asking the court to dismiss Mr. Mercer from represented me, and I be appointed a lawyer outside of the state appellate public defender's office because of conflict of interest and I feel I wouldnt be able

to received the representation I
need on my appeal to the state
supreme court.

therefore I request a lawyer
out-side that office be appointed
to me.

sincerely
Dave W. Henderson